IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

NOTICE OF MOTION NO.4229 OF 2006
IN
SUIT NO.3570 OF 1993

Ibrahim A.Patel ..Plaintiff

Versus

Bababhai yusuf Supariwala & Anr. ..Defendants

Mr.Aziz Khan i/by Gabriel Pillai for plaintiff.

CORAM : A.S.OKA,J

DATE : 30.08.2007.

PC

1. The learned Counsel appearing for the plaintiff in support of Notice of Motion states that the Notice of Motion has been duly served on the defendants and affidavit of service has been filed. Statement is accepted. None appears for the defendants.

2. In view of averments made in affidavit in support of the Notice of Motion, a case for restoration of the suit is made out. Accordingly, Notice of Motion is made absolute in terms of prayer clause-(a). The suit shall be set down for issues on 21.9.2007.

(JUDGE)